

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

REGINAL LEE DAVIS,

Plaintiff,

v.

FEDERAL BUREAU OF  
INVESTIGATIONS, et al.,

Defendants.

HONORABLE KAREN M. WILLIAMS

Civil Action

No. 21-573 (KMW-SAK)

**OPINION**

APPEARANCES:

Reginald Lee Davis, *pro se*  
107799

New Jersey Department of Health  
Division of Mental Health & Addiction Services  
Ancora Psychiatric Hospital  
301 Spring Garden Road  
Ancora, NJ 08037-9699

**WILLIAMS, District Judge:**

**I. INTRODUCTION**

This matter is before the Court on the Amended Complaint of Plaintiff Reginald Lee Davis, an individual currently committed to the Ancora Psychiatric Hospital. The Court reviewed the Amended Complaint and finds that it must be dismissed without prejudice because it fails to meet the requirements of Federal Rule of Civil Procedure 8(a).

**II. BACKGROUND**

On January 11, 2021, Plaintiff filed the original complaint in this civil action. On

February 22, 2022, after reviewing the complaint, the Court dismissed the complaint, without prejudice, due to its failure to comply with Rule 8(a). *See* Order, ECF No. 13, Feb. 22, 2022. The Court granted Plaintiff leave to file an amended complaint within thirty days. *Id.*

Accordingly, on March 7, 2022, Plaintiff filed an Amended Complaint. *See* Am. Compl., ECF No. 14. Unfortunately, the Amended Complaint has the same deficiencies as the original complaint: the defendants and factual allegations are simply not clear and apparent to the Court. As the Court noted with respect to the original complaint, the Amended Complaint contains a string of random words or phrases, unconnected and without unifying purpose, for several pages. *See* Am. Compl., 1-6. The Amended Complaint is virtually indecipherable. *See, e.g.,* Am. Compl., 1 (“This (Amended Complaint) Torts/Claim Ancora Logs Illegal Detention (Evaluations) Aim Settlements Misconduct Ansri Donna, Joel Advocates Intent Lies Egor Levenberg Exposed Charts Text (DSM-s) Supreme Court Appeals Relief Entitled Doctrine.”)

### III. DISCUSSION

Pursuant to Rule 8 of the Federal Rules of Civil Procedure, a complaint seeking to raise a claim for relief must contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). Each allegation in a complaint must therefore be “concise and direct.” Fed. R. Civ. P. 8(e)(1). A district court may dismiss a complaint *sua sponte* for failure to comply with Rule 8. *Ruther v. State Kentucky Officers*, 556 F. App'x 91, 92 (3d Cir. 2014). A complaint may therefore be dismissed pursuant to Rule 8 where the “complaint is so confused, ambiguous, vague, or otherwise unintelligible that its true substance, if any, is well disguised.” *Id.* (quoting *Simmons v. Abruzzo*, 49 F.3d 83, 86 (2d Cir. 1995)). Dismissal is proper, therefore, where a complaint is illegible, incomprehensible, indecipherable, or largely unintelligible, *See id.*; *Elliot v. Point Breeze Station Mail Dep't*, 711 F. App'x 71, 72-


73 (3d Cir. 2017); *Scibelli v. Lebanon Cnty.*, 219 F. App'x 221, 222 (3d Cir. 2007); *Stephanatos v. Cohen*, 236 F. App'x 785, 787 (2007). In dismissing an unintelligible complaint pursuant to Rule 8, however, a reviewing court should provide the party whose pleading is dismissed an opportunity to amend; therefore, the appropriate action when faced with an unintelligible complaint is to dismiss the complaint without prejudice to the filing of an amended complaint. *Ruther*, 556 F. App'x at 92; *Moss v. United States*, 329 F. App'x 335, 336 (3d Cir. 2009); *Simmons*, 49 F.3d at 86-87.

Like Plaintiff's original complaint, Plaintiff's Amended Complaint is truly unintelligible. The Court cannot discern the proper defendants or the nature of Plaintiff's claims against them. The Amended Complaint is also devoid of jurisdictional allegations. Plaintiff's Amended Complaint fails to meet the pleading requirements of Rule 8, and therefore, must be dismissed without prejudice.

#### IV. CONCLUSION

In conclusion, Plaintiff's Amended Complaint is DISMISSED WITHOUT PREJUDICE. An appropriate order follows.

Dated: July 7, 2022

  
KAREN M. WILLIAMS  
United States District Judge